

MINUTES OF THE REGULAR MEETING OF
THE EMERY COUNTY SPECIAL SERVICE DISTRICT #1
May 13, 2013

Attendees at the meeting:

Chairman Kent Petersen
Board Members Richard Jensen, Merrill Swasey, Dean King and Bevan Wilson
Merrial Johansen, Craig Johansen and Howard Tuttle, Johansen and Tuttle Engineering
Wayde Nielsen, Emery County Road Department
Jeff Horrocks and JR Nelson, Emery County Commissioners
Ray Petersen, Emery County Public Lands
Kyle Ekker and Janalee Luke, Emery County Emergency Management

The meeting was called to order at 10:00 a.m. by Chairman Petersen.

UPDATE ON UTAH FEDERAL LANDS ACCESS PROGRAM APPLICATION

This application is being prepared by Johansen and Tuttle Engineering and is due May 15, 2013. The road project to be considered is an upgraded, realigned section (8 miles) of gravel road and is the first phase of reconstruction of the Green River Cut-off road/CR 401. The amount requested on this application is \$6,720,000 which will require a 6.77% non-federal match. The application has to be approved and submitted by Emery County. The district will sign an inter local agreement with the county to authorizing them to oversee the project and provide the match money. Commissioner Horrocks stated that the finances will be worked out between the county and the district to make sure the funding is available. If the application is approved, the required \$10,000 deposit will be paid by the district. The project will be budgeted for construction in 2015.

DISCUSSION OF PCIFB APPLICATION TO FINANCE THE PURCHASE OF ROAD EASEMENTS FROM SITLA ON EMERY COUNTY ROADS

Bevan Wilson reported that he had made contact with Permanent Community Impact Fund Board (CIB) personnel regarding the application submitted by SITLA, on behalf of Emery County, to purchase Class B Road Easements. This item was tabled last month until more information could be gathered.

Bevan provided the board members with CIB minutes and stated that the CIB has put safe guards in place so that this grant money will be used for the purpose as stated. The Class B road easements across SITLA owned land have been purchased in the past by OHV funds. These funds have run short, therefore, SITLA asked the counties to work with them and go to the CIB for funding consideration. Emery County risks losing PILT money if they were to sponsor this

grant application, so the district agreed last meeting to consider being the applicant.

Kent Petersen asked if the county will be required to pay for right-of-way (ROW) access across SITLA land for future projects after these ROW are cleared? Commissioner Horrocks stated that an agreement will have to be made with SITLA covering this concern.

The proposed guidelines for participation by CIB are listed below (taken from CIB board meeting minutes November 1, 2012)

1. Applications much come from individual counties.
2. The CIB will not accept or review applications from SITLA itself.
3. Applications will contain a scope-of-work detailing the activities to be undertaken in the individual county.
4. Applications shall contain any and all agreements (or proposed agreements) between the county and SITLA for conveyance of the easement, including county and SITLA maps reflecting the easement to be conveyed.
5. The basis for the price to be paid for the easement and a certification by the county that the valuation comports with their duties under law and county/state procurement policies.
6. Certification from the county that B and D roads for which the easements are being purchased are necessary for county or state transportation purposes.
7. All other statutory and programmatic requirements of the CIB will apply to these projects.

SITLA and Emery County will need to meet and agree on a priority list of county road easements to be purchased. This agreement should accompany the application as one of the requirements listed above.

Bevan Wilson made a motion to proceed with the application process for a \$92,200 grant to purchase ROW easement on county roads. Included in the motion was authorization to set a public hearing for next meeting to receive public comment regarding this application and authorize the chairman to sign the application. The motion was seconded by Dean King and approved by all members present.

A public hearing will be set for 10:00 a.m. on June 10, 2013 to receive public comment regarding this application.

APPROVAL OF ENGINEERING CONTRACT FOR SOUTH MOORE PHASE 10 PRELIMINARY ENGINEERING

The engineer presented an engineering contract for \$15,000.00 for preliminary engineering on

South Moore Phase 10. This will include all necessary paperwork, ROW, etc. prior to contract with UDOT. A motion was made by Richard Jensen to approve this contract. The motion was seconded by Dean King and approved by all members present.

APPROVAL OF ENGINEERING CONTRACT FOR PRE-AWARD EXPENSES ON GREEN RIVER CULVERT #1 AND GREEN RIVER CULVERT #2

The engineer presented two engineering contracts for \$4,000 each to cover pre-award expenses for Green River Culverts #1 and #2. These projects are being funded with FEMA monies and, therefore, special requirements have to be met.

Before these contracts were considered for approval, Bevan Wilson, questioned some of the language in the standard contract document that is being used by Johansen and Tuttle Engineering. After discussion, the engineer will address his concerns and be more specific to help clarify responsibilities in future contracts.

A motion was made by Bevan Wilson to approve the engineering contract (\$4,000) for Green River culvert #1 pre-award costs. The motion was seconded by Merrill Swasey and approved by all members present.

A second motion was made by Merrill Swasey to approve the engineering contract (\$4,000) for Green River culvert #2 pre-award costs. The motion was seconded by Bevan Wilson and approved by all members present.

APPROVAL OF LETTER OF ENGAGEMENT FOR 2012 INDEPENDENT AUDIT

A motion was made by Dean King authorizing the chairman to sign the necessary paperwork to engage Kimball and Roberts to perform the 2012 independent audit for the district. The motion was seconded by Richard Jensen and approved by all members present.

CURRENT PROJECTS

South Moore Road Project - Phase 10

The engineer reported that UDOT has determined that there is over \$1,000,000 set aside for this project. The engineer was asked to find out what portion of the \$1,000,000 was earmarked funds, UDOT funds and county match. This project is scheduled to be advertised in the fall and

construction will be in the spring of 2014.

Miller Creek - Phase II - CR 120

The project is 40% complete and the contractor has used 50% of the time allotted. There is one unhappy landowner and the engineer will be meeting with him to work out the problems.

Millsite State Park Access Road

BLM has not issued the ROW on the barrow pit as of meeting time due to the potential of the endangered cactus being in the area. The engineer will work on the engineering contract for this project and bring it to the next meeting for approval. The project is ready to be advertised when the ROW is approved.

Ferron Bridge Project

This project is complete, but the contractor has a lot of clean-up yet to finish. The contractor has not been on the job site for 2 weeks. The original contract was for \$278,000, but due to the water line break, extra crane work and some extra fencing (JR Nelson's property) the project is now at \$290,331.

Green River Culverts

This project is moving along. Double E Construction is a good contractor. There were pay estimates submitted for each culvert #1, culvert #2, and culverts #3,4, and 5.

APPROVAL OF PAYMENT OF BILLS AND FINANCIAL REPORT

The bills and financial reports were approved on a motion by Richard Jensen. The motion was seconded by Merrill Swasey. The motion was approved by all members present.

The MMS distribution (March 2013) to the service districts was ratified on a motion by Richard Jensen and a second by Merrill Swasey. The motion was approved by all members present. A copy of the letter is attached to the minutes.

APPROVAL OF MINUTES

The minutes of April 8, 2013 were approved on a motion by Richard Jensen and seconded by Dean King. The motion was approved by all members present.

REPORT FROM MERRILL SWASEY ON SPECIAL SERVICE DISTRICT TRAINING

Merrill reported that he attend special service district training in Price. He said the training, presented by the State Auditor's office was worthwhile.

ADJOURNMENT

The meeting adjourned at 12:15 a.m. on a motion by Dean King. The motion was seconded by Richard Jensen. The motion was approved by all members present. The next meeting is scheduled to be held on June 10, 2013 at 10:00 am.

Respectfully submitted,

Kent R. Petersen, Chairman

BILLS APPROVED BY ECSSD#1

May 13, 2013

Emery County - 98-4000-2800 - Telephone	\$ 30.00
Rocky Mountain Power - 98-4000-7503	\$338.23
Johansen and Tuttle Engineering - Inv. 51316	
Miller Creek Road - 98-4000-3045	\$11,900.00
Ferron Canyon Bridge - 98-4000-3049	\$13,290.00
Green River Culverts 3,4, &5 - 98-4000-3037	\$ 9,390.00
Ferron Millsite Road - 98-4000-3047	<u>\$ 2,458.00</u>
	\$37,038.00
Johansen and Tuttle Engineering - Inv. 51318	
Green River Long Street Project #2 - 98-4000-3035	\$5,600.00
Nielson Construction - Ferron Bridge - Pay Est. #2 98-4000-7644	\$187,461.32
Nielson Construction - Miller Creek Phase 2 - Pay Est. #2 - 98-4000-7627	\$114,388.31
Double E Construction - Green River Long Street Culvert #1	
Pay Est. #1	
(Brenda - I need a new account for Culvert #1 and #2 for FEMA reimbursement)	
	\$11,603.59
Double E Construction -Green River Long Street Culvert #2	
Pay Est. #1	\$46,706.70
Double E Construction GR Long Street Culverts #3, 4, &5 -	
Pay Estimate #1 - 98-4000-7643	\$100,371.16
Bevan K. Wilson 98-4000-2800 - Cell Phone	\$50.00
98-4000-6210 - Boardmeeting Stipend/Project Mgr.	\$300.00
98-4000-2300 - Mileage	<u>\$ 65.54</u>
	\$415.54
Richard Jensen - 98-4000-6210 - Board meeting Stipend/Project Mgr.	\$300.00
98-4000-2800 - Cell Phone	\$50.00
98-4000-2300- Mileage	<u>\$104.52</u>
	\$454.52
Dean King - 98-4000-6210 - Board meeting Stipend/Project Mgr.	\$300.00
98-4000-2300 - Mileage	\$119.78
98-4000-2800 - Cell Phone	<u>\$50.00</u>
	\$469.78
Kent Petersen - 98-4000-6210 - Board meeting Stipend/Project Mgr.	\$300.00
98-4000-2300 - Mileage	\$ 15.82
98-4000-2800 - Cell Phone	<u>\$ 50.00</u>

	\$365.82
Merrill A. Swasey - 98-4000-2800 - Cell Phone	\$50.00
98-4000-6210 - Board member Stipend/Project Mgr.	\$300.00
98-400-2300 - Mileage	<u>\$39.55</u>
	\$389.55
TOTAL	\$505,632.52

May 15, 2013

Steven Barton
Emery County Treasurer
Emery County Courthouse
Castle Dale, UT 84513

Dear Steve:

Please transfer sufficient funds from PTIF 1325 to ECSSD#1 checking account to cover bills approved in their regularly scheduled meeting on May 13, 2013 (attached).

Please open and hold the following retainage accounts for current projects:

GR Culverts 3,4,&5 - \$5,282.69

GR Culvert 2 - \$2,458.25

GR Culvert 1 - \$610.72

Miller Creek Phase 2 - \$9,220.49 (last month's retainage should have been \$3,200.05)

Ferron Canyon Rd. Bridge Replacement - \$14,516.70 (last month's retainage should have been \$4,650.31)

Thank you. If you have any questions, please feel free to ask.

Sincerely,

Leslie Bolinder
Secretary for District

cc: Brenda Tuttle

